



15 SEP 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

SILVERBROOK RESEARCH PTY LTD  
393 DARLING STREET  
BALMAIN, AUSTRALIA 2041

In re Application of SILVERBROOK  
U.S. Application No.: 10/509,998  
PCT Application No.: PCT/AU02/00774  
Int. Filing Date: 14 June 2002  
Priority Date Claimed: 12 April 2002  
Attorney Docket No.: YU183US  
For: PROCESSING OF IMAGES FOR HIGH  
VOLUME PAGEWIDTH PRINTING

DECISION

This is in response to applicant's petition to withdraw holding of abandonment filed 14 April 2005, which is being treated under 37 CFR 1.181.

### **BACKGROUND**

On 14 June 2002, applicant filed international application PCT/AU02/00774, which claimed priority of an earlier United States application filed 12 April 2002. A copy of the international application was communicated to the USPTO from the International Bureau on 23 October 2003. The thirty-month period for paying the basic national fee in the United States expired on 12 October 2004.

On 05 October 2004, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, a check in the amount of \$1,080.00 for the basic national fee and an assignment recording.

On 21 March 2005, the DO/EO/US mailed a Notification of Abandonment (Form PCT/DO/EO/909), which indicated that the application is abandoned for failure to file the full basic national fee.

On 14 April 2005, applicant filed the present petition under 37 CFR 1.181.

### DISCUSSION

A review of USPTO records reveals that applicant's check for \$1,080.00 was received prior to the expiration of 30 months from the priority date. However, effective 01 October 2004, the basic national fee for an application filed under 37 CFR 1.492(a)(3) was \$1,110.00. Therefore, the application became abandoned for failure to timely file the full basic national fee.

### CONCLUSION

For the reasons above, the petition under 37 CFR 1.181 is DISMISSED without prejudice.

If reconsideration on the merits of the petition is desired, a proper response must be filed within TWO (2) MONTHS from the mail date of this decision.

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



Bryan Tung  
PCT Legal Examiner  
Office of PCT Legal Administration

Telephone: 571-272-3303  
Facsimile: 571-273-0459